

RCS# 292
6/05/06
4:25 PM

Atlanta City Council

REGULAR SESSION

06-O-1225 AMEND 2-813A CLARIFY DISCLOSURE REQMENTS
REGARDING PENDING LEGISLATION/DECISIONS
REFER

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	E Borders

06-O-1225

A SUBSTITUTE ORDINANCE BY

06-O-1225

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE VII, DIVISION 2, SECTION 2-813(a) (ENTITLED, "DISCLOSURE OF INTERESTS") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO CLARIFY DISCLOSURE REQUIREMENTS PERTAINING TO THE PUBLIC DISCLOSURE OF INTERESTS BY CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY OF ATLANTA WITH REGARD TO PENDING LEGISLATION OR PENDING DECISIONS TO BE MADE BY THE OFFICIAL OR EMPLOYEE OR THE AGENCY OF WHICH THE OFFICIAL OR EMPLOYEE IS A MEMBER; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the committee on council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta (Hereinafter, "City") to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article VII, Division 2, Section 2-813 (a) of the Code of Ordinances obliges certain City officials and employees to disclose both their interests with regard to legislation pending before the city council and with regard to matters pending before city departments, and to further abstain from participation in legislative or administrative matters in which said officials and employees have any such financial or personal interest; and

WHEREAS, it is the intent of the city council that officials and employees meet the disclosure requirements, as outlined in Section 2-813 (a), via the mandatory submission of an electronic Disclosure of Conflicts of Interests form, as found on the City's internet web site, and as maintained by the City's Ethics Officer.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS
as follows:

Section 1: Chapter Two, Article VII, Division 2, Section 2-813 (a), which reads:

Sec. 2-813. Disclosure of interests.

(a) Every official or employee listed in paragraph (b) of this section who knows or with reasonable investigation should know that the official or employee has a financial interest or personal interest, direct or indirect, in any proposed legislation or in any decision pending before that official or employee or the agency of which the official or employee is a member or employee shall not vote for or against, discuss, decide, in any way participate in considering the matter or

seek to influence the votes or decisions of others on such matter, but shall publicly disclose in writing, on the official records of the agency and with a copy to the municipal clerk, the nature of such interest prior to any determination of the

matter, provided that such official or employee has not been officially excused from the meeting at which the matter is to be determined. Should an official who is a councilmember or the president of council be absent from a portion of a committee or council meeting which the official attended in part, the councilmember or president of council is required to review for conflicts that legislation listed on the adopted agenda of the meeting. Should such review present a conflict, disclosure shall be timely made if made in writing to the municipal clerk who shall sound the same at the next scheduled council meeting.

be hereby amended to read as follows:

Sec. 2-813. Disclosure of interests.

(a) Every official or employee listed in paragraph (b) of this section who knows or with reasonable investigation should know that the official or employee has a financial interest or personal interest, direct or indirect, in any proposed legislation or in any decision pending before that official or employee or the agency of which the official or employee is a member or employee shall not vote for or against, discuss, decide, in any way participate in considering the matter or seek to influence the votes or decisions of others on such matter. ~~but shall publicly disclose in writing, on the official records of the agency and with a copy to the municipal clerk, the nature of such interest prior to any determination of the matter, provided that such official or employee has not been officially excused from the meeting at which the matter is to be determined. Should an official who is a councilmember or the president of council be absent from a portion of a committee or council meeting which the official attended in part, the councilmember or president of council is required to review for conflicts that legislation listed on the adopted agenda of the meeting. Should such review present a conflict, disclosure shall be timely made if made in writing to the municipal clerk who shall sound the same at the next scheduled council meeting.~~

1. Prior to any determination of the matter, the official or employee shall verbally disclose at the meeting, if any, the nature of such interest, and shall have such disclosure placed on the official records of the agency.
2. Should an official or employee be absent from that meeting or a portion of that meeting, the official or employee is required to verbally disclose the nature of the conflict at the next attended meeting and said disclosure shall be placed on the official records of the agency.
3. Further, the official or employee must complete an online Disclosure of Conflicts of Interest form at <https://apps.atlanta.efile> as maintained by the City of Atlanta Ethics Officer, immediately upon his or her recognition of said conflict.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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